

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
FIRST COMMUNITY CARE, LLC;	:	LS0210081PHM
RESPONDENT.	:	

The parties to this action for the purposes of §227.53, Wis. Stats., are:

First Community Care, LLC
2325 Bluemound Road, Ste. J
Waukesha, WI 53186

Wisconsin Pharmacy Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

- Respondent First Community Care, LLC, is duly licensed as a distributor in the State of Wisconsin pursuant to license # 1344, originally granted November 14, 2001.
- A new distributor inspection conducted February 21, 2002, revealed the following violations:
 - Phar. 13.15, the facility did not have in place a complete policy and procedure manual. (A conforming policy and procedure manual was in place 3/21/02).
 - Phar. 13.14(1), the facility did not document receipt, inventory or disposition of all prescriptive drugs and devices (oxygen tanks and devices). (A conforming records system was in place 3/21/02).

- c. Phar. 13.10(4), An overhead garage door was not hooked into an alarm system. (A conforming alarm system was in place 3/20/02).

CONCLUSIONS OF LAW

A. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

B. The conduct described in paragraph 2 above, violated § Phar 13.10(4)), 13.14(1), and 13.15 Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that First Community Care, LLC, is REPRIMANDED.

IT IS FURTHER ORDERED, that Respondent shall FORFEIT the sum of \$ 1,000.00 to be paid to the Department of Regulation and Licensing within 30 days of the date of this order.

IT IS FURTHER ORDERED, that Respondent shall pay COSTS in this matter in the amount of \$ 600.00, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

Dated this October 8th, 2002.

WISCONSIN PHARMACY EXAMINING BOARD

Susan Sutter